

AMENDED IN ASSEMBLY SEPTEMBER 4, 2009

AMENDED IN ASSEMBLY JULY 14, 2009

AMENDED IN ASSEMBLY JUNE 23, 2009

AMENDED IN SENATE MAY 28, 2009

AMENDED IN SENATE MAY 6, 2009

AMENDED IN SENATE APRIL 20, 2009

SENATE BILL

No. 372

**Introduced by Senator Kehoe
(Coauthor: Senator Wolk)**

February 26, 2009

An act to amend Section 5019.50 of the Public Resources Code, relating to state parks.

LEGISLATIVE COUNSEL'S DIGEST

SB 372, as amended, Kehoe. State parks system: unit modification, adjustment, or removal.

Existing law requires that all units of the state park system be classified by the State Park and Recreation Commission into one of several categories.

This bill would prohibit, *with exceptions*, a modification or adjustment of boundaries or uses of state park units, that lie within a unit of the state park system, that is incompatible with state park purposes and that would significantly reduce public use or the material, cultural, or historic significance of the unit, as determined by the Director of Parks and Recreation, or the removal of state park units from within the state park system, without the commission making that recommendation to the

Legislature, as prescribed, and the Legislature enacting legislation or adopting a resolution approving the recommendation.

Vote: majority. Appropriation: no. Fiscal committee: yes.

State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 5019.50 of the Public Resources Code
2 is amended to read:

3 5019.50. (a) All units that are or shall become a part of the
4 state park system, except those units or parts of units designated
5 by the Legislature as wilderness areas pursuant to Chapter 1.3
6 (commencing with Section 5093.30), or where subject to any other
7 provision of law, including Section 5019.80 and Article 1
8 (commencing with Section 36600) of Chapter 7 of Division 27,
9 shall be classified by the State Park and Recreation Commission
10 into one of the categories specified in this article. Classification
11 of state marine reserves, state marine parks, and state marine
12 conservation areas require the concurrence of the Fish and Game
13 Commission for restrictions to be placed upon the use of living
14 marine resources.

15 (b) A modification or adjustment of boundaries or uses of state
16 park units, that lie within a designated unit of the state park system,
17 that is incompatible with state park purposes and that would
18 significantly reduce public use or the material, cultural, or historic
19 significance of the state park unit, as determined by the Director
20 of Parks and Recreation, or the removal of state park units from
21 within the state park system shall require a recommendation for
22 that modification, adjustment, or removal by the State Park and
23 Recreation Commission to the Legislature and that the Legislature
24 enact legislation or adopt a resolution approving the
25 recommendation.

26 (c) In making its recommendation, the commission shall identify,
27 in a report to the Legislature, how the modification or adjustment
28 will change the mission, purposes, and management objectives for
29 the state park unit, and the commission shall certify that no feasible
30 alternatives exist and the modification or adjustment of the
31 boundaries or use serves a public necessity.

32 (d) (1) *This section shall not apply to existing uses of state park*
33 *lands that have been authorized on or before January 1, 2010, by*

1 *existing permits, deeds, easements, a memorandum of*
2 *understanding, or other written agreement with the department*
3 *or by the general plan for a state park unit.*

4 *(2) This subdivision does not expand or facilitate the use of state*
5 *park lands beyond the current use allowed on or before January*
6 *1, 2010, by written agreement with the department.*

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